

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

**IN RE: ETHICON, INC. PELVIC REPAIR
SYSTEM PRODUCTS LIABILITY LITIGATION**

MDL NO. 2327

THIS DOCUMENT RELATES TO THE CASE(S)
LISTED ON THE EXHIBIT ATTACHED HERETO:

JOINT MOTION TO DISMISS CERTAIN DEFENDANTS WITH PREJUDICE

Plaintiffs in the cases listed on the attached Exhibits A through H and Defendants Sofradim Production SAS,¹ Tissue Science Laboratories Limited,² and Covidien LP³ (collectively the “Covidien entities”) and C. R. Bard, Inc., to the extent they are named as Defendants, advise the Court that they have compromised and settled all claims between them in these actions, including all counterclaims, cross-claims and third party claims.

Accordingly, Plaintiffs, the Covidien entities, and Bard jointly move the court to dismiss Bard and the Covidien entities (where named) as Defendants in these actions with prejudice, each party to bear its own costs.

¹ Sofradim Production SAS includes any incorrect or incomplete spellings of this Defendant, including Sofradim Corporation, Sofradim Corp., Sofradim Production, and Sofradim Production, SAS.

² Tissue Science Laboratories Limited includes any incorrect or incomplete spellings of this Defendant, including Tissue Sciences Laboratories, Tissue Science Laboratories Ltd., Tissue Science Laboratories, Inc., Tissue Science Laboratories, Limited and Tissue Science Laboratories, Ltd.

³ Covidien LP includes any incorrect or incomplete spellings of this Defendant, as well as any improperly named affiliates of this defendant, including Covidien Holding, Inc., Covidien Inc., Covidien Incorporated, Covidien International Finance, SA, Covidien LLC, Covidien Ltd., Covidien Trevoux, SCS, Covidien plc, Covidien, Inc., Covidien, LLC, and Covidien, PLC, Tyco Healthcare Group LP, TYCO Healthcare, Tyco Healthcare Group, L.P., Tyco International Ltd, United States Surgical Corporation, United States Surgical Corp., Floreane Medical Implants SA, Floreane Medical Implants, SA, Mareane, SA, Mareane SA, Medtronic PLC, International Technology, Inc., Medtronic MiniMed, Inc., Medtronic Puerto Rico Operations Co., Medtronic Sofamor Danek USA, Inc., Medtronic Sofamor Danek, Inc., Medtronic Sofamor Danek, USA, Inc., Medtronic USA, Inc., Medtronic, Inc. and Medtronic, Inc.

The settlement in the cases listed on Exhibits A through H relates only to the Covidien entities and Bard. Because other Defendant(s) remain in the cases listed on Exhibits A through H, the case(s) should remain open and Plaintiffs will continue to prosecute their claims against any remaining defendants.

Respectfully submitted February 21, 2019.

/s/ Micah L. Hobbs
Micah L. Hobbs
mhobbs@shb.com
Devin K. Ross
dkross@shb.com
SHOOK, HARDY & BACON L.L.P.
2555 Grand Boulevard
Kansas City, MO 64108
Phone: 816.474.6550
Fax: 816.421.5547
Counsel for Covidien Entities

/s/ Aimee H. Wagstaff
Aimee H. Wagstaff
ANDRUS & WAGSTAFF
7171 West Alaska Drive
Lakewood, CO 80226
303.376.6360
303.376.6361 (fax)
aimee.wagstaff@ahw-law.com
Counsel for Plaintiffs listed on Exhibit A

/s/ Andrew J. Cross
Andrew J. Cross
CAREY DANIS & LOWE
Suite 1100
8235 Forsyth Boulevard
St. Louis, MO 63105
314.725.7700
314.721.0905 (fax)
across@careydanis.com
Counsel for Plaintiffs listed on Exhibit C

/s/ Richard B. North, Jr.
Richard B. North, Jr.
richard.north@nelsonmullins.com
NELSON MULLINS RILEY &
SCARBOROUGH L.L.P.
P.O. Box 1856
Huntington, WV 25719-1856
Phone: 304.526.3500
Fax: 304.526.3599
Counsel for C.R. Bard, Inc.

/s/ Bryan F. Aylstock
Bryan F. Aylstock
AYLSTOCK WITKIN KREIS &
OVERHOLTZ
Suite 200
17 East Main Street
Pensacola, FL 32502
850.202.1010
850.916.7449 (fax)
baylstock@awkolaw.com
Counsel for Plaintiffs listed on Exhibit B

/s/ C. Andrew Childers
C. Andrew Childers
CHILDERS SCHLUETER & SMITH
Suite 100
1932 North Druid Hills Road
Atlanta, Georgia 30319
404.419.9500
404.419.9501 (fax)
achilders@cssfirm.com
Counsel for Plaintiffs listed on Exhibit D

/s/ Caroline Underwood Hollingsworth

Caroline Underwood Hollingsworth
HENINGER GARRISON DAVIS

P.O. Box 11310

Birmingham, AL 35202

205.326.3336

205.326.3332 (fax)

caroline@hgdllawfirm.com

Counsel for Plaintiffs listed on Exhibit E

/s/ Alan S. Lazar

Alan S. Lazar

MARLIN & SALTZMAN

Suite 210

29800 Agoura Rd.

Agoura Hills, CA 91301

818.991.8080

818.991.8081 (fax)

alazar@marlinsaltzman.com

Counsel for Plaintiffs listed on Exhibit F

/s/ Leslie C. MacLean

Leslie C. MacLean

WATERS & KRAUS

Suite 700

3141 Hood Street

Dallas TX, 75219

214.357.6244

214.357.7252 (fax)

lmaclean@waterskraus.com

Counsel for Plaintiffs listed on Exhibit G

/s/ Sejal K. Brahmbhatt

Sejal K. Brahmbhatt

WILLIAMS KHERKHER HART BOUNDAS

Suite 600

8441 Gulf Freeway

Houston, TX 77017

713.230.2227

713.643.6226 (fax)

sbrahmbhatt@williamskherkher.com

Counsel for Plaintiffs listed on Exhibit H

EXHIBIT A – ANDRUS & WAGSTAFF

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:13-cv-03632	Haller, Tawny and Michael
2:14-cv-17566	Duncan, Jacquelyn

EXHIBIT B – AYLSTOCK WITKIN KREIS & OVERHOLTZ

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:15-cv-07877	Strong, Joyce

EXHIBIT C – CAREY DANIS & LOWE

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:13-cv-25755	Davis, Ernestine
2:13-cv-32074	Scott, Charlet
2:14-cv-20734	Coffelt, Lisa
2:14-cv-22923	Eisen, Christine
2:14-cv-23208	Whited, Mary

EXHIBIT D – CHILDERS SCHLUETER & SMITH

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:15-cv-01527	Fluker, Melinda and Ronnie

EXHIBIT E – HENINGER GARRISON DAVIS

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:13-cv-29843	Loper, Ruby

EXHIBIT F – MARLIN & SALTZMAN

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:13-cv-19313	Stricklin, Tona and Richard

EXHIBIT G – WATERS & KRAUS

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:13-cv-17396	Adams, Dianna and Donald
2:13-cv-19589	Owens, Nell and Waverly

EXHIBIT H – WILLIAMS KHERKHER HART BOUNDAS

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:14-cv-13434	Gouldhawke, Cindy
2:14-cv-17178	Lenigar, Linda

CERTIFICATE OF SERVICE

I hereby certify that on February 21, 2019, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

By: /s/ Micah L Hobbs
Micah L. Hobbs
Attorney for Covidien Entities